

FILED

IN THE DISTRICT OF LITTLE ROCK, PULASKI COUNTY, ARKANSAS

SEP 28 AM 11:52

STATE OF ARKANSAS)
SS
COUNTY OF PULASKI)

LR DISTRICT COURT
FIRST DIVISION

AFFIDAVIT FOR SEARCH AND SEIZURE WARRANT

Comes Detective Wesley Butler of the Little Rock Police Department Street Narcotics Detail, on oath states that he has reasonable cause to believe and does believe that in the residence located at 2200 S. Marshall Street, upstairs apartment, (further described as the two story residence on the southwest corner of S. Marshall Street and W. 22nd Street, the upstairs apartment), Little Rock, Arkansas, and occupied by FNU (First Name Unknown) LNU (Last Name Unknown), B/M, approximately 28 years of age, there is now being concealed a certain controlled substance, to wit: Cocaine, said substance being illegal and said substance being evidence that a crime is being committed, Affiant prays a Search and Seizure Warrant should be issued.

FACTS CONSTITUTING PROBABLE CAUSE:

1. Affiant states that on 09-21-09, He received information from a reliable cooperating individual who stated that narcotics were being distributed from the residence located at 2200 S. Marshall Street, upstairs apartment, Little Rock, Arkansas, by FNU (First Name Unknown) LNU (Last Name Unknown), B/M, approximately 28 years of age. The same said reliable cooperating individual stated that he/she could make a narcotics purchase from the residence located at 2200 S. Marshall Street, upstairs apartment, Little Rock, Arkansas.

2. Affiant states that on 09-22-09 he met with the same said reliable cooperating individual (mentioned in Fact #1) and requested that he/she attempt to make a narcotics purchase from the residence located at 2200 S. Marshall Street, upstairs apartment, Little Rock, Arkansas. The Affiant searched the same said reliable cooperating individual for any concealed monies and/or contraband with negative results. The Affiant supplied the same said reliable cooperating individual with twenty-dollars (consisting of one (1) twenty-dollar bill, serial #IH44637184A), with which to purchase narcotic evidence. The Affiant transported the same said reliable cooperating individual to the residence further described in Fact 1, where upon he/she exited his/her vehicle and walked up to the rear upstairs door of the residence where a male was sitting on the porch. The Affiant observed as the same said reliable cooperating individual walked upstairs to the door, knocked and entered the residence. The Affiant observed as the same said reliable cooperating individual walk into the residence and return after approximately five (5) minutes. The Affiant observed as the same said reliable cooperating individual left the residence and returned prearranged location where he/she

handed the Affiant a bag of off-white rock like substance. The same said reliable cooperating individual stated that upon his/her arrival to the residence described in fact 1, he/she was met by FNU (First Name Unknown) LNU (Last Name Unknown), B/M, approximately 28 years of age. The same said reliable cooperating individual stated that he/she observed a male that was sitting on the porch of the residence that appeared to be acting as a lookout for the subject inside the residence. The same said reliable cooperating individual stated that he/she went into the residence and met with FNU (First Name Unknown) LNU (Last Name Unknown), B/M, approximately 28 years of age, and requested to purchase a twenty-dollar quantity of "crack" cocaine. The same said reliable cooperating individual stated that he/she and FNU (First Name Unknown) LNU (Last Name Unknown), B/M, went into a back room and returned after a short time and handed a bag of off white rock like substance to him/her representing it to be a twenty-dollar quantity of cocaine. The same said reliable cooperating individual stated that he/she inspected the off-white rock like substance and handed FNU (First Name Unknown) LNU (Last Name Unknown), B/M, the twenty-dollars, supplied to him/her by the Affiant to complete the transaction. The Affiant searched the same said reliable cooperating individual and his/her vehicle again after the transactions for any hidden money or contraband with negative results. The Affiant states that he field tested a small portion of the white rock like substance and received a positive reaction for cocaine.

3. Affiant states that the same said reliable cooperating individual (mentioned in Fact #1, and #2) has provided information to the Little Rock Police Department on at least five (5)

occasions. This information has been proven true and correct by personal knowledge and independent sources.

4. Affiant states that while he was conducting surveillance of the said residence, during this narcotic purchase, he observed an individual who was sitting on the porch of the residence. The Affiant concluded that this individual appeared to be acting as "lookout". From this position this individual and individuals inside the residence have a clear and unobstructed view and can monitor vehicular and pedestrian traffic in the area. The Affiant further states that an approach of said residence in the daylight hours would be readily apparent to the individuals acting as lookouts for the occupants of the residence located at 2200 S. Marshall Street, upstairs apartment, Little Rock, Arkansas. These individuals would be capable of transmitting a warning to the occupants of the residence of the approach of law enforcement officers attempting to execute a search and seizure warrant, which could result in the destruction of the evidence and endanger the safety of the executing officers. The Affiant states that an approach to the residence at a late hour, facilitated by the cover of darkness, would greatly enhance the safe and successful execution of a search and seizure warrant.

5. Affiant states that he has been a certified Police Officer employed by the Little Rock Police Department for approximately six and a half (6.5) years and has been assigned to the Street Narcotics Detail for approximately three and a half (3.5) years. Affiant further states that during this time he has personally

participated in the execution of numerous Search and Seizure warrants in the State of Arkansas related to the trafficking of narcotics. The majority of these warrants involved dynamic entries into the residence, whereby the element of surprise was utilized to prevent the destruction of the evidence sought and to provide a greater degree of safety for both the executing officers and individuals present at the location where the warrant was being executed.

6. Affiant states that based on his experience involving the seizure of illicit narcotics in past instances, it is apparent that substantial quantities of these narcotics can be and are easily disposed of and/or destroyed by the individuals possessing them if they are alerted to or given notice of the presence of Law Enforcement Officers.

7. Affiant states that based on his past experience it is apparent that "lookouts" are commonly utilized by individuals trafficking in illicit narcotics for the purpose of detecting the presence and/or approach of law enforcement officers. Upon detection, these individuals acting as lookouts are able to signal or relay a warning to the individuals trafficking the narcotics, which historically results in the escape of these individuals and/or the destruction of the evidence sought. Through the utilization of lookouts, a clear intent is established on the part of individuals trafficking in illicit narcotics to afford themselves an opportunity to avoid arrest, secret and/or destroy evidence, or arm themselves.

8. Affiant further states that knocking and announcing the presence and intent of law enforcement officers to execute a search of the aforementioned premises would afford a substantial opportunity for individuals to secret, dispose of, and/or destroy the evidence being sought. The same opportunity would also exist for these individuals to arm themselves and/or further barricade the entrances to prevent the law enforcement officers from entering the premises to conduct a lawful search of the premises. By not knocking to announce the presence of the officers executing the Search Warrant prior to gaining initial entry, the element of surprise would be retained, which would greatly reduce the risk to and increase safety of the executing officers and occupants; furthermore, the likelihood of the evidence sought being disposed of or destroyed, would also be greatly diminished.

9. Affiant states that he will personally assist in the execution of the search and seizure warrant if granted. Affiant further states that if, upon his arrival at the residence previously described, he feels the warrant can be safely and successfully executed by knocking and announcing the presence of and the intent of the executing officers, he will do so and only enter the residence if access is denied or other factors mandate such a dynamic entry.

For these reasons, the Affiant prays that a warrant be issued for a search of the residence, vehicles, curtilage, and the person of FNU (First Name Unknown) LNU (Last Name Unknown), B/M, approximately 28 years of age, occupying the residence located at 2200 S. Marshall Street, upstairs apartment, Little Rock, Arkansas, that said warrant be excluded from the knock and announcement requirement, and said warrant be issued for a search of the residence, vehicles, and curtilage any time of the day or night.

[Signature]
AFFIANT

Sworn to before me this 22 day of September, 2009

at LRDC

[Signature]
JUDGE

FILED

IN THE DISTRICT COURT OF LITTLE ROCK, PULASKI COUNTY, ARKANSAS 52

09 SEP 20 11 41 AM

STATE OF ARKANSAS}

SS

COUNTY OF PULASKI}

DISTRICT COURT
FIRST DIVISION

SEARCH AND SEIZURE WARRANT

TO ANY SHERIFF, CONSTABLE OR POLICEMAN IN THE STATE OF ARKANSAS

On affidavit having been made before me by Detective Wesley Butler, of the Little Rock Police Department Street Narcotics Detail, that there is now being concealed a certain controlled substance to wit: Cocaine, and as there exists reasonable cause to believe that the above conditions do exist, a search and seizure warrant should be issued.

YOU ARE HEREBY COMMANDED AND DIRECTED TO SEARCH:

The residence, curtilage, and vehicles located at 2200 S. Marshall Street, upstairs apartment, (further described as the two story residence on the Southwest corner of S. Marshall Street and W. 22nd Street, the upstairs apartment), Little Rock, Arkansas, and occupied by FNU (First Name Unknown) LNU (Last Name Unknown), B/M, approximately 28 years of age, and if described conditions do

exist and if the above described controlled substance is found there, to seize said evidence and records to include (1) cocaine and /or paraphernalia for packaging, weighing and distributing cocaine. (2) Books, records, receipts, notes, ledgers, and other papers related to the transportation, purchase and distribution of controlled substances, in particular cocaine; (3) Photographs, in particular photographs of co-conspirators, assets, and/or controlled substances, in particular cocaine (4) Indicia of occupancy, residency and/or ownership of the premises described above, (5) any and all other instrumentalities and money of criminal activity, and leave a copy of this warrant for the owner or occupant if found to be in possession of said evidence and make a return of this warrant within five (5) days thereafter, and to store such property as required by law.

Upon the Court's findings that the following facts are true and correct as supported by sworn affidavit: 1) that individuals acting as lookouts are being utilized and would be capable of transmitting a warning of the approach of law enforcement officers to the occupants of said residence, 2) that the approach of law enforcement officers at a late hour, facilitated by the cover of darkness, would greatly enhance the safe and successful execution of a search and seizure warrant, 3) that illicit narcotics, paraphernalia, and others items related to the trafficking of narcotics can be quickly and readily, secreted, disposed of, or destroyed if sufficient warning and opportunity exists, 4) that by not knocking and announcing the intent of law enforcement officers to conduct a lawful search of said premises prior to securing the premises, the element of surprise would be retained, thereby: a) greatly increasing the potential of safety for both the executing officers and the occupants of the residence, b) diminishing the

likelihood of the evidence sought being secreted, disposed of, or destroyed, and c) reducing the possibility of individuals escaping or arming themselves.

Having found reasonable cause to believe that the above conditions exist, and that said described evidence will be found, you are hereby commanded to search the residence located at 2200 S. Marshall Street, upstairs apartment, Little Rock, Arkansas, and the vehicles, curtilage, and the person of FNU (First Name Unknown) LNU (Last Name Unknown), B/M, approximately 28 years of age, at any time of the day or night and to execute said warrant without announcement of presence or intent to search prior securing the premises.

This warrant shall be executed within thirty days (30) days.

Signed at LRDC

on this 22 day of September 2009,

JUDGE

Allen J. Fragon

LITTLE ROCK POLICE DEPARTMENT
SEARCH WARRANT INVENTORY FILED

09 SEP 28 AM 11:52

LOCATION 2208 MARSHAL

DATE SERVED 9-23-09 TIME SERVED 2020 TIME CONCLUDED 8:00

SERVING AGENCIES L.R.P.D

DISTRICT COURT
FIRST DIVISION

ITEMS SEIZED

ITEM #	DESCRIPTION	OFFICER	LOCATION FOUND
E-1	WEZ SCALE	STANKEVITZ	SHELVES IN LA.
E-2	ONE w/ OFF WHITE ROIL	LITTLETON	BED ROOM
E-3	RAZOR BLADE w/ RES	" "	" "
E-4	PLASTIC BUBBLES	" "	" "
E-5	US CURRENCY (161.00)	LITTLETON	" "

WITNESS [Signature] 19545 AFFIANT [Signature]